

**IN THE UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA**

**ARNOLD J. HARRIS**  
*Plaintiff*

**FILED  
SCRANTON**

FEB 20 2018

Civil Action No

**V.**

PER AMO  
DEPUTY CLERK

1:15-cv-1141

**J.A. ECKARD, SUPERINTENDENT, et al.,**  
*Defendant*

(Magistrate Judge Saporito)

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**PLAINTIFF HARRIS' MOTION FOR RECONSIDERATION OF MAGISTRATE JUDGE  
SAPORITO'S DECISION TO DIRECT THE CLERK OF COURT TO CLOSE MY CASE**

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**MATERIAL FACTS**

In the case of Harris v. Eckard, et al., it was recommended that the *Clerk of Court* adopt the **Report and Recommendation** (Doc. No. 65) of Magistrate Judge Saporito and direct the *Clerk of Court* to close my case. It was also recommended that the *Clerk of Court* enter judgment in favor of the *Defendants*, and against *Plaintiff Harris*.

Just because *Plaintiff Harris* has made **one (1) small error**, by not claiming monetary damages on his initial grievance, he should not be penalized by having his case dismissed. The Court didn't even explain to *Plaintiff Harris*, if his case was dismissed, with or without prejudice, giving the Plaintiff the legal right to appeal his case, or re-file his grievance, and this time, exhaust his administrative remedies correctly by the claiming of monetary damages.

The *Plaintiff's Constitutional Rights* were still violated, by *Plaintiff Harris* being permanently damaged by environmental tobacco smoke, and being diagnosed with **C.O.P.D., Asthma, Hypertension and Shortness of Breath**.

*Plaintiff Harris* prays that the Court will **reconsider its decision to close this case**, and not penalize the *Plaintiff* for making the error of not claiming monetary damages on his initial grievance.

*Plaintiff Harris* asks this Court to relieve him of *Magistrate Judge Saporito's Report and Recommendation*, and to relieve him of *Magistrate Judge Saporito's* decision. Also, if the Court adopts the *Report and Recommendation* to close this case, is this case dismissed with prejudice, or without prejudice.

The *Plaintiff* has a legal right to appeal if applicable to do so, or refile his complaint with the Court, but needs to do so in a timely manner, and needs the decision of the Court as to how this case was dismissed, or closed, with or without prejudice.

Thank you for your time and have a bless day.

Sincerely Yours,

A handwritten signature in cursive script that reads "aj harris". The letters are dark and fluid, with a large 'a' and 'j' at the beginning.

Arnold Joseph Harris (Plaintiff)

Name Arnold J. Harris  
Number LD-5834

1100 Pike Street

Huntingdon, PA 16654-1112

**RECEIVED  
SCRANTON**

FEB 20 2018

PER Amo  
DEPUTY CLERK

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